# IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF WISCONSIN

General Electric Company,

Plaintiff-Counter-Defendant,

Case No. 08-cv-298-bbc

v.

SonoSite, Inc.,

Defendant-Counter-Plaintiff.

# PLAINTIFF-COUNTER-DEFENDANT'S MOTION FOR CONSTRUCTION OF CLAIM TERMS OF U.S. PATENT NO. 5,722,412

Pursuant to the Court's June 12, 2008 Preliminary Pretrial Conference Order regarding claim construction and its September 26, 2008 Order amending the briefing schedule, Plaintiff-Counter-Defendant General Electric Company ("GE") hereby moves the Court for construction of certain terms in claims asserted by SonoSite, Inc. against GE in U.S. Patent No. 5,722,412. This motion is based on the Brief in Support of Plaintiff-Counter-Defendant's Motion for Construction of Claim Terms of U.S. Patent No. 5,722,412, the Declaration of Robert E. McAlhany, Jr. in Support of Plaintiff-Counter-Defendant's Motion for Construction of Claim Terms of U.S. Patent No. 5,722,412 and the Declaration of Mark Schafer, Ph.D. in Support of Plaintiff-Counter-Defendant's Motion for Construction of Claim Terms of U.S. Patent No. 5,722,412, filed herewith.

## Respectfully submitted,

October 24, 2008 By: s/Robert E. McAlhany, Jr.

> Allen A. Arntsen aarntsen@foley.com Jeffrey A. Simmons jsimmons@foley.com Justin Edwin Gray jegray@foley.com

## **FOLEY & LARDNER LLP**

150 E. Gilman Street P.O. Box 1497 Madison, WI 53701-1497

Tel: 608-258-4293; Fax: 608-258-4258

Matthew M. Wolf wolfm@howrey.com

### **HOWREY LLP**

1299 Pennsylvania Avenue N.W. Washington, DC 20004

Tel: 202-783-0800; Fax: 202-383-6610

Jennifer A. Sklenar sklenarj@howrey.com

#### **HOWREY LLP**

550 S. Hope Street, Suite 1100 Los Angeles, CA 90071

Tel: 213-892-1800; Fax: 213-892-2100

Theresa M. Gillis gillist@howrey.com

## **HOWREY LLP**

153 East 53<sup>rd</sup> Street, 54<sup>th</sup> Floor New York, NY 10022 Tel: 212-896-6631; Fax: 212-896-6501

Robert E. McAlhany, Jr., Ph.D. mcalhanyr@howrey.com

### **HOWREY LLP**

1950 University Avenue, 4<sup>th</sup> Floor East Palo Alto, CA 94303 Tel: 650-798-3500; Fax: 650-798-3600

Attorneys for Plaintiff-Counter-Defendant

#### **CERTIFICATE OF SERVICE**

A true and correct copy of the above and foregoing document was served on the following counsel as follows on October 24, 2008.

/s/ Robert E. McAlhany, Jr.

Christopher G. Hanewicz
<a href="mailto:chanewicz@perkinscoie.com">chanewicz@perkinscoie.com</a>
John Singleton Skilton
<a href="mailto:jskilton@perkinscoie.com">jskilton@perkinscoie.com</a>
Sarah C. Walkenhorst
<a href="mailto:swalkenhorst@perkinscoie.com">swalkenhorst@perkinscoie.com</a>
Lissa R. Koop
<a href="mailto:lkoop@perkinscoie.com">lkoop@perkinscoie.com</a>

**PERKINS COIE** 

One East Main Street, Suite 201

Madison, WI 53703 Tel: 608-663-7460 Fax: 608-663-7499

(Via CM/ECF)
M. Patricia Thayer
pthayer@orrick.com

**ORRICK HERRINGTON & SUTCLIFFE** 

405 Howard Street San Francisco, CA 94105 Tel: 415-773-5700

Fax: 415-773-5759

(*Via CM/ECF*)

Attorneys for Defendant and Counter-Plaintiff SonoSite, Inc.

Mark S. Parris
<a href="mailto:mparris@orrick.com">mparris@orrick.com</a>
Jeffrey Cox
<a href="mailto:jcox@orrick.com">jcox@orrick.com</a>

**ORRICK HERRINGTON & SUTCLIFFE** 

719 Second Avenue, Suite 900 Seattle, WA 98104-7097 Tel: 206-839-4300

Fax: 206-839-4301

(Via CM/ECF)